

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ELECTRONIC DATA SYSTEMS,  
CORPORATION

v.

ONLINE WIRELESS  
INCORPORATED, ET AL.

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Case No. 2:08-CV-041

**STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE**

The plaintiff, ELECTRONIC DATA SYSTEMS CORP. (“EDS”), and defendant METROPCS COMMUNICATIONS, INC., pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims between EDS and MetroPCS Communications, Inc. in this action WITH PREJUDICE, subject to the terms of that certain agreement titled “SETTLEMENT AND PATENT LICENSE OPTION AGREEMENT” with each party to bear its own costs, expenses and attorneys’ fees. This Stipulated Motion For Dismissal does not affect any claims related to any other defendant in this case.

Respectfully submitted,

Dated: June 4, 2009

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Dated: June 4, 2009

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**ATTORNEYS FOR DEFENDANT  
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**CERTIFICATE OF SERVICE**

I certify that counsel of record who are deemed to have consented to electronic service are being served on June 4, 2009, with a copy of this document via the Court's CM/ECF systems per Local Rule CV-5(a)(3). Any other counsel will be served electronic mail, facsimile, overnight delivery and/or First Class Mail on this date.

/s/ Mark Dunglinson  
Mark Dunglinson